

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

DWIGHT RUSSELL, *et al.*,

*Plaintiffs,*

v.

HARRIS COUNTY, TEXAS, *et al.*,

*Defendants,*

STATE OF TEXAS, *et al.*,

*Intervenor-Defendants.*

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Case No. 4:19-cv-00226

**HARRIS COUNTY DISTRICT ATTORNEY KIM OGG’S  
UNOPPOSED MOTION FOR LEAVE TO FILE *AMICUS CURIAE* BRIEF**

Harris County District Attorney Kim Ogg (“District Attorney Ogg”) respectfully moves for leave to file the attached *amicus curiae* brief. The motion for leave is not opposed by any party.

Although this Court does not have specific rules governing *amicus curiae* briefs, District Attorney Ogg has followed the guidelines set out in Federal Rule of Appellate Procedure 29(b). The tendered brief contains an explanation of matters set out under FED. R. APP. P. 29(b).

The brief is limited to 15 pages, following the Court’s prior order on the length of briefing on the issues addressed by the attached *amicus curiae* brief.

District Attorney Ogg requests that leave be granted to file the brief. A proposed form of order is attached for the Court’s consideration.

Respectfully submitted,

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**CERTIFICATE OF CONFERENCE**

Counsel for *amicus curiae* has conferred with counsel for Plaintiffs and Defendants, and has confirmed that no party has expressed opposition to the filing. The undersigned counsel has similarly agreed with counsel for Plaintiffs that if they should need additional time to respond to the *amicus curiae* brief, that request will not be opposed.

/s/ Eric J.R. Nichols  
Eric J.R. Nichols

**CERTIFICATE OF SERVICE**

A true and correct copy of the foregoing pleading was served on counsel of record for the parties in compliance with the Federal Rules of Civil Procedure by filing with the Court's CM/ECF system on April 24, 2023.

/s/ Cory R. Liu  
Cory R. Liu